

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

**§ 18946.6. Reporting and Valuation of Gifts: Air Transportation.**

Air transportation that is a gift to a public official shall be valued as follows:

(a) For transportation on a "commercial aircraft," the value of the ticket or fare the carrier charges to a member of the public for the same transportation provided to the official. For purposes of this regulation, "commercial aircraft" means an aircraft used to transport the general public for compensation or hire on a regular basis, and for which a fare is charged on a per-passenger basis.

(b) For all other air transportation, the value of the normal and usual charter fare or rental charge for a comparable airplane of comparable size, divided by the number of all of the following persons that share the same flight:

(1) "Designated employees" as defined in Section 82019.

(2) Public officials specified in Section 87200.

(3) Members of Congress, and officers and employees of the executive, legislative, or judicial branch of the United States government.

(c) The actual cost or fair market value of any other personal benefits provided to the official during the air transportation, including food, beverages, or entertainment, shall be treated as a separate gift to the official unless the benefit is included as part of the fare determined in subdivision (a) or (b).

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87207, 87302 and 89501-89506, Government Code.

## HISTORY

1. New section filed 7-16-2008; operative 8-15-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil CO10924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 29).